

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

REBECCA BYBEE

Plaintiff

v.

THE PROCTER & GAMBLE COMPANY, ET AL.

Defendants

Case No. C-1-01-623

Judge Weber

Magistrate Judge Hogan

REPLY MEMORANDUM IN SUPPORT OF MOTION TO SUPPLEMENT RECORD

Comes the Plaintiff, by and through counsel, and for her Reply Memorandum in Support of Motion to Supplement Record states as follows:

The Administrative Record which Plaintiff received did not include the audio tape, or a transcript thereof, of the telephone message from an employee of Defendant, The Proctor & Gamble Co., named Heather, regarding Plaintiff's health care benefits. The tape was referenced as being attached to a three page letter written by Plaintiff, dated November 18, 1996, in reference to a phone call received from The Proctor & Gamble Co.; this document begins in the Administrative Record at PG000000020, with the reference in the Administrative Record at PG000000022. In order to be sure the Administrative Record is complete, Plaintiff offers a copy of the audio tape, so that the record is complete.

Wherefore, Plaintiff respectfully request that her Motion be granted and that the audio tape be included in the record.

Respectfully submitted,

/s/ Carl E. Grayson

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed, postage pre-paid, on this the 4th day of October, 2004, to Jennifer M. Orr, Esq., Dinsmore & Shohl LLP, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202, (513) 977-8200.

/s/ Carl E. Grayson

Carl. E. Grayson